

OUR SOVEREIGN LADY, Considering, that Notwithstanding of the several Good Laws and Acts of *Parliament*, made for Restraining the Growth of *Popery*, and bringing Trafficking *Papists*, *Priests* and *Jesuits*, Sayers of *Mass*, or persons Harboursing and Resetting such to due Execution and punishment; Yet by the Negligence, Indifference, or connivance of the Magistrates, and Officers of our Law, To whom the Execution of the several Acts of *Parliament* made thereanent is committed, and doeth belong; The *Papists*, Trafficking *Priests* and *Jesuits*, have become more avowed, open and presumptuous in the profession of the said *popish* Religion, Superstitious Rites and Ceremonies thereof, by setting a part particular Houses for their Meeting, and assembling to celebrate and exercise their said *Idolatrous Worship*; And likewise by openly and avowedly *Baptizing* and confirming of Children, and celebrating *Marriages*, according to the superstitious Rites and ceremonies of the Church of *Rome*; And Burying persons dying in that profession according to the Rites and Superstitions of the said Church, To the great prejudice of the *Protestant* Religion and Interest of Our Government; Doth therefore, with Advice and consent of the Estates of *Parliament*, Ratify, and perpetually Confirm all Laws and Acts of *Parliament* made against *popery*, seminary *Priests*, *Jesuits* and other Trafficking *papists*, and their Resettlers, and against Sayers and Hearers of *Mass*. And particularly the 3d Act of the 8th and 9th Session of King *William's Parliament* dated the 23d of *November* 1700, with all the Laws and Acts of *parliament* thereinmentioned; As also, Ratifies, approves and confirms a *Proclamation* of privy Council, dated the 17th day of *March* 1704 Years, published in prosecution of the foresaids Acts of *Parliament*, and appoints the same to have the Force of an Act of *Parliament* in all time coming, and to be put to due and punctual Execution, by the respective Magistrates thereinmentioned, under the pains and certifications therein-expressed, as punctually and effectually, as if the Tenor of the foresaid *Proclamation* were ingrossed in this present Act; and which is Ordained to be herewith again publish and Printed. And further, for the more effectual suppressing *popery* and its *Idolatrous worship*. Her Majesty, and Estates of *Parliament*, Do hereby appoint and Authorize the Commander in Chief of Her Forces within this Kingdom, to give all necessary Orders to the Commanders of Her Forts and Garisons, Captains and other Officers of the Independent Companies in the North and *Highlands*, to search for, seize and apprehend all seminary *priests*, *Jesuits*, *popish Bishops*, and all persons who are suspected to be such, and send them to *Edinburgh*, with an full and exact Account of the probation, necessary in Law, for Trying and convicting them by the Laws made thereanent; and for their Encouragement, and the Encouragement of all others that may be concerned, The *premium* appointed by the Act of *Parliament* 1700, is hereby appointed punctually to be payed to any, who shall apprehend any of the persons foresaid in manner, and as the same is Ordered to be done by the Act of *Parliament* abovementioned, and which punctual payment, Her Majesty and the Estates of *Parliament*, Do hereby most seriously Recommend to the Lords of *Thesaurie* to cause the same to be made without Delay; And for the more effectual Restraining of *popery*, and Discouraging the profession and practice thereof, Her Majesty and Estates of *Parliament*, require and command the Sheriffs of the several Shires, Stewarts of *Stewartries*, Lords and Baillies of *Regalities*, and their respective Deputs, presently to Disarm all persons professing *popery* within their respective Bounds and Jurisdictions, and to take their Arms into their custody, and to report a full and Faithful Inventar thereof, to the Lords of privy Council, betwixt and the first day of *June* next to come, that the same may be transported to Her Majesties Magazines, or otherways disposed upon for Her Service as they shall think fit. And albeit by the foresaid 3d Act *Parliament* 1700, It be Statute, That no person nor persons professing the *popish* Religion past the age of 15 Years, shall be capable to succeed as Heirs to any person whatsoever, or bruik or enjoy any Estate by Disposition or other conveyance flowing from any person, to whom the said *papist* might succeed as Heir any manner of way, until the saids Heirs should purge themselves of *popery*, in manner mentioned in the said Act; And if any persons Educated in the *popish* Religion should succeed as Heir to their predecessors, or any conveyance happen to be made to them from a person to whom they might succeed as Heirs, before they attain the said age of 15 years, They are obliged to purge themselves of *popery* before their age of *Fifteen*; And if in any of the cases foresaid, they should fail therein, Then, and immediately thereafter, their Right and Interest in, or by the foresaid succession and conveyance should become void and null, and should devolve and belong to the next *Protestant* Heir, who would succeed; as if all the intervening *popish* Heirs were naturally dead; Yet no Execution has followed upon that part of the foresaid Act of *Parliament*: Therefore, Her Majesty with advice and consent foresaid, requires and commands the Sheriffs of the Shires, Stewarts of *Stewartries*, and Lords and Baillies of *Regalitie*, and their respective Deputes, to make exact Tryal and inquiry what Lands, Heretages, and others mentioned in the foresaid Act of *Parliament*, any *popish* Heirs might have succeeded to as Heirs, or by other conveyance, and from what time the Right of succession was devolved upon them, with the Designation of the



the several Lands, and other Rights to which they might have succeeded, and make report thereof under their hand, to the Lords of privy Council or Exchequer, betwixt and the first day of *June* next to come; And whether the next *Protestant* Heir has succeeded and taken possession of his Right conform to the foresaid Act of *Parliament*, that then, and thereafter the saids Lords of privy Council, or Exchequer, may declare the Rents and Emoluments of the Lands mentioned in the said Report, to belong to the respective Superiors, as if the saids were under Waird, and the Fruits, Annualrents and profits of any other Rights to be caducuary, and to be at Her Majesties disposal until the said *protestant* Heir claim the benefit of the foresaid Act of *Parliament*, and this Order and Statute to be Observed, not only in the cases of Succession that have already happened; but in all such as shall happen hereafter within

Moneths after the happening thereof. And in regard of the open and publick Meetings of *papists* for their *Idolatrous worship*, and other popish superstitions abovementioned, have not hitherto been duely prosecuted by the respective Magistrats for Discouraging thereof; Therefore, Her Majesty and Estates of *Parliament*, for the better Execution of the Laws made thereanent, appoint the several Presbyteries, to send to the respective Sheriffs of Shires, Stewarts of Stewartries, Lords or Baillies of Regalities, or their Deputes respective, Lists of the *papists* Transgressing in the premises subscribed by their Moderator, and Recorded in the presbytrie Books, to be revised by the Synod and General Assembly: And in case any of the saids Magistrats, to whom the foresaid Lists shall be delivered, and Instruments taken thereupon shall fail, to put the Laws and Acts of *Parliament* in Execution against the saids Transgressors, for the space of two Moneths after the saids Lists are delivered to him; He shall *ipso facto* incur and be lyable to the penalty of 500 *Merks toties quoties*, to be pursued for before the Lords of Session by the Agent of the Kirk, or any other the presbytrie shall appoint, and that summarily without abiding the course of the Roll, where the Instrument at delivering the List, shall be a sufficient Title, and proof against the Judge who shall not be able to instruct his Diligence exactly done, and in case of conviction, the said Judge may likewise be deprived of his Office, and Declared incapable thereof in time coming; And because the Educating Children abroad, or at home in *popish* Schools, and under *popish* Governours, and the Boarding of Children in *popish* Families, or sending them to be bred at Schools with *papists*, doth contribute much to the Growth of *popery*. Therefore, Her Majesty and Estates of *Parliament*, require and command the Parents, Tutors and Curators of all Children abroad, out of the Kingdom in *popish* countries for their Education, To bring them home betwixt and the first day of *June* next to come; Or else to produce sufficient Certificats to the Lords of privy Council, that the saids Children are not Lodged in *popish* Families, nor at *popish* Schools, nor under *popish* Governours, under the penaltie of

in the premises; And that the Parents and such at Home as have the Charge and care of Childrens Education, who are presently Lodged or Boarded in *popish* Families, or at Schools of any sort under *popish* Masters, That they within a Month after the publication hereof remove the saids Children from the saids *popish* Families and Schools under the penaltie foresaid, to be pursued for, and applied to pious Uses in manner abovementioned, and this without prejudice to the Laws and Acts against such *popish* Masters and Teachers; And because the palpable Negligence of the respective Magistrats, to whom the Execution of the Laws against *popery* was enjoined and committed, is so gross a Contempt and Indignity done to Her Majesty, and Authority of *Parliament*. Therefore, Her Majesty with Advice and Consent foresaid, Appoint and Ordain Her Advocat and Solicitor to raise Process, and prosecute before the Lords of privy Council, such of the Sheriffs, Stewarts of Stewartries, or their Deputes, and Lords, or Baillies of Regalitie, or their Deputes within the bounds of

where *popery* and going to *Mass* hath been most openly avowed and professed, and practised, that they may be condignly punished for their said supine Negligence, as the Lords of privy Council shall think fit: And Her Majesty with Advice foresaid, Ordains the respective Magistrats abovenamed within their respective Bounds and Jurisdictions, to Demolish any Houses built on purpose for *popish* Service, saying or hearing of *Mass*, And if the *popish* Assemblies or Meetings be in any House within Burgh, not built for the purpose, That the Magistrats cause shut up the same, and hinder any such Meetings there for hereafter, wherein, if any of them failzie in Debaring, Demolishing and Hindering in manner foresaid, They shall be lyable in the Sum of 300 *Pounds respective toties quoties*. And Her Majesty with Advice foresaid, Appoint and Ordain the respective Magistrats abovementioned, within their several Bounds and Jurisdictions, To convene and call before them any *papist* who shall Baptize their Children, or have them Confirmed, or shall be Married, or celebrat the Funerals of any of their Friends and Relations, according to the Rites & Ceremonies of the Church of *Rome*, and Amerciat and Fine them, as follows, *Viz.* Each Tennent in the Sum of *Fourty Pounds*, Each Burgeis in the Sum of *One Hundred Pounds*, And every Landed Man in the Sum of *Two Hundred Pounds*, for each Transgression in any of the Premises *toties quoties*, to be proven by the Oath of the Delinquent, or otherways, wherein if any of the saids Judges failzie, They and each of them, shall *ipso facto* be Lyable to the pain and penalty of *Five Hundred Merks*, to be prosecuted and proven in manner abovementioned.